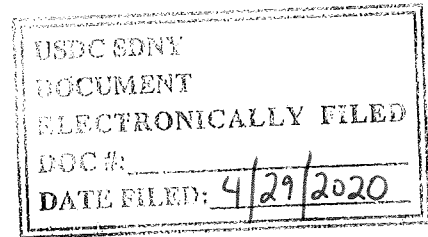


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
CARLOS FLORES, LAWRENCE BARTLEY,
DEMETRIUS BENNETT, L'MANI DELIMA,
EDGARDO LEBRON, ANTONIO ROMAN,
DONTAE QUINONES and SHAROD LOGAN, on
behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

18-cv-2468(VB)(JCM)

**SUPPLEMENTAL STIPULATION
OF CONFIDENTIALITY AND
~~PROPOSED~~ PROTECTIVE ORDER
WITH NORTHPOINTE INC.**

TINA M. STANFORD, as Chairwoman of the New
York State Board of Parole; WALTER W. SMITH, as
Commissioner of the New York State Board of Parole;
JOSEPH P. CRANGLE, as Commissioner of the New
York State Board of Parole; ELLEN E. ALEXANDER,
as Commissioner of the New York State Board of
Parole; MARC COPPOLA, as Commissioner of the
New York State Board of Parole; TANA AGOSTINI,
as Commissioner of the New York State Board of
Parole; CHARLES DAVIS, as Commissioner of the
New York State Board of Parole; ERIK BERLINER, as
Commissioner of the New York State Board of Parole;
OTIS CRUSE, as Commissioner of the New York State
Board of Parole; TYECE DRAKE, as Commissioner of
the New York State Board of Parole; CARYNE
DEMOSTHENES, as Commissioner of the New York
State Board of Parole; MICHAEL CORLEY, as
Commissioner of the New York State Board of Parole;
CHANWOO LEE, as Commissioner of the New York
State Board of Parole; SHEILA SAMUELS, as
Commissioner of the New York State Board of Parole;
ELSIE SEGARRA, as Commissioner of the New York
State Board of Parole; and CARLTON MITCHELL, as
Commissioner of the New York State Board of Parole,

Defendants.

X

WHEREAS, on March 9, 2020, Plaintiffs and Defendants agreed upon a Stipulation of Confidentiality and Proposed Protective Order, which permits them, in producing materials in the course of this action, to designate documents and information as Confidential or Highly Confidential Material subject to certain rights, protections, and constraints;

WHEREAS paragraph 23 of the Stipulation of Confidentiality and Proposed Protective Order provides that the parties may “separately negotiat[e] and agree[] in writing to the confidential treatment of documents not contemplated by” the Protective Order;

IT IS HEREBY STIPULATED AND AGREED that:

1. The parties agree that nonparty Northpointe Inc. (“Northpointe”), in producing materials in the course of this action may also designate documents and information as Confidential or Highly Confidential Material subject to the same rights, protections, and constraints as the parties’ designations, as further supplemented by this agreement.

2. Northpointe’s designations of Confidential Material may include documents and information that contain personal or financial information, including any information required to be redacted in public filings pursuant to Fed. R. Civ. P. 5.2; any information the disclosure of which would potentially violate state and federal privacy laws, rules, or regulations; and material containing proprietary business information or other non-public business information. Northpointe’s designations of Highly Confidential Material may include sensitive, highly confidential, non-public information, consisting of trade secrets or other confidential commercial/proprietary business information, the disclosure of which may create a substantial risk of competitive or other business injury to Northpointe. The process for challenging Highly Confidential designations outlined in paragraph 6 of the Stipulation of Confidentiality and Protective Order shall apply to any Highly Confidential designations by Northpointe.

3. Unless provided by the Court or consented in writing by Northpointe, counsel may not provide a copy or allow a copy of any Northpointe-designated Confidential Material to be given to any Plaintiff. The parties will promptly notify Northpointe if the Court orders a copy of such Confidential Material to be given to a Plaintiff. Plaintiffs’ and Defendants’ counsel may

show and discuss Confidential Material with Plaintiffs or Defendants to the extent necessary to prepare for the litigation of this action.

4. Unless provided by the Court or consented in writing by Northpointe, counsel may not provide or show any Northpointe-designated Highly Confidential Material to Plaintiffs, or discuss any Northpointe-designated Highly Confidential Material with Plaintiffs. The parties will promptly notify Northpointe if the Court orders a copy of such Highly Confidential Material to be given to, shown to, or discussed with a Plaintiff.


5. A party that files any Northpointe-designated Confidential or Highly Confidential Material with the Court in this action must file those materials under seal and as otherwise provided in the Stipulation of Confidentiality and Protective Order—and will notify Northpointe of the filing within two (2) business days.

6. Any notices or materials required to be given to “adverse counsel” by the Stipulation of Confidentiality and Protective Order (*e.g.*, paragraphs 10 and 22) will be given to counsel for Northpointe when Confidential or Highly Confidential Material designated by Northpointe is concerned.

SO STIPULATED AND AGREED:

Dated: April ___, 2020

Cravath, Swaine & Moore LLP
Counsel for Plaintiffs

By: 
Antony L. Ryan
Damaris Hernández
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Tel: (212) 474-1000
aryan@cravath.com
dhernandez@cravath.com

Dated: April ___, 2020

By: _____
Issa Kohler-Hausmann
127 Wall Street
New Haven, CT 06511
(347) 856-6376
Issa.kohler-hausmann@yale.edu

Dated: April ___, 2020

By: _____
Avery Gilbert
15 Shatzell Avenue
Rhinecliff, NY 12574
(845) 380-6265
avery@agilbertlaw.com

Dated: April ___, 2020

LETITIA JAMES
Attorney General, State of New York
Counsel for Defendants

By: _____
Jeb Harben
Deanna L. Collins
Assistant Attorneys General
28 Liberty Street, 18th Floor
New York, NY 10005
Tel: (212) 416-6185/8906
Jeb.Harben@ag.ny.gov
Deanna.Collins@ag.ny.gov

SO STIPULATED AND AGREED:

Dated: April ___, 2020

Cravath, Swaine & Moore LLP
Counsel for Plaintiffs

By: _____

Antony L. Ryan
Damaris Hernández
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Tel: (212) 474-1000
aryan@cravath.com
dhernandez@cravath.com

Dated: April 29, 2020

By: _____

Issa Kohler-Hausmann
127 Wall Street
New Haven, CT 06511
(347) 856-6376
Issa.kohler-hausmann@yale.edu

Dated: April ___, 2020

By: _____

Avery Gilbert
15 Shatzell Avenue
Rhinecliff, NY 12574
(845) 380-6265
avery@agilbertlaw.com

Dated: April ___, 2020

LETITIA JAMES
Attorney General, State of New York
Counsel for Defendants

By: _____

Jeb Harben
Deanna L. Collins
Assistant Attorneys General
28 Liberty Street, 18th Floor
New York, NY 10005
Tel: (212) 416-6185/8906
Jeb.Harben@ag.ny.gov
Deanna.Collins@ag.ny.gov

SO STIPULATED AND AGREED:

Dated: April ___, 2020

Cravath, Swaine & Moore LLP
Counsel for Plaintiffs

By: _____

Antony L. Ryan
Damaris Hernández
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Tel: (212) 474-1000
aryan@cravath.com
dhernandez@cravath.com

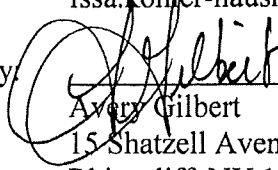
Dated: April ___, 2020

By: _____

Issa Kohler-Hausmann
127 Wall Street
New Haven, CT 06511
(347) 856-6376
Issa.kohler-hausmann@yale.edu

Dated: April 22, 2020

By: _____


Avery Gilbert
15 Shatzell Avenue
Rhinecliff, NY 12574
(845) 380-6265
avery@agilbertlaw.com

Dated: April ___, 2020

LETITIA JAMES
Attorney General, State of New York
Counsel for Defendants

By: _____

Jeb Harben
Deanna L. Collins
Assistant Attorneys General
28 Liberty Street, 18th Floor
New York, NY 10005
Tel: (212) 416-6185/8906
Jeb.Harben@ag.ny.gov
Deanna.Collins@ag.ny.gov

SO STIPULATED AND AGREED:

Dated: April ___, 2020

Cravath, Swaine & Moore LLP
Counsel for Plaintiffs

By: _____

Antony L. Ryan
Damaris Hernández
Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
Tel: (212) 474-1000
aryan@cravath.com
dhernandez@cravath.com

Dated: April ___, 2020

By: _____

Issa Kohler-Hausmann
127 Wall Street
New Haven, CT 06511
(347) 856-6376
Issa.kohler-hausmann@yale.edu

Dated: April ___, 2020

By: _____

Avery Gilbert
15 Shatzell Avenue
Rhinecliff, NY 12574
(845) 380-6265
avery@agilbertlaw.com

Dated: April 24, 2020

LETITIA JAMES
Attorney General, State of New York
Counsel for Defendants

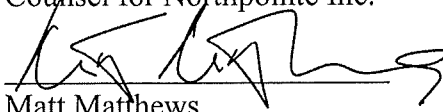
By: _____

Jeb Harben
Deanna L. Collins
Assistant Attorneys General
28 Liberty Street, 18th Floor
New York, NY 10005
Tel: (212) 416-6185/8906
Jeb.Harben@ag.ny.gov
Deanna.Collins@ag.ny.gov

Dated: April __, 2020

McDowell Hetherington LLP
Counsel for Northpointe Inc.

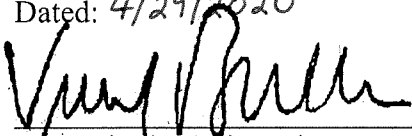
By:



Matt Matthews
First City Tower
1001 Fannin St #2700
Houston, TX 77002
Tel: (713) 337-8879
matt.matthews@mhllp.com

SO ORDERED

Dated: 4/29/2020



Hon. Vincent Briccetti
U.S.D.J